

FILED
 JAN 17 2008
 RICHARD W. WICKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE

E-filing

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

JW
(PR)

WILLIE WEAVER
 Plaintiff,

vs.

PELICAN BAY STATE
 PRISON THIRD WATCH
 Defendant.

CASE NO. _____

**PRISONER'S
 APPLICATION TO PROCEED
 IN FORMA PAUPERIS**

I, WILLIE WEAVER, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ___ No ☒

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: _____ Net: _____

Employer: _____

1 b. List the persons other than your spouse who are dependent upon you for
 2 support and indicate how much you contribute toward their support. (NOTE:
 3 For minor children, list only their initials and ages. DO NOT INCLUDE
 4 THEIR NAMES.).
 5 _____
 6 _____

7 5. Do you own or are you buying a home? Yes ____ No ☒
 8 Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

9 6. Do you own an automobile? Yes ____ No ☒
 10 Make _____ Year _____ Model _____
 11 Is it financed? Yes ____ No ☒ If so, Total due: \$ _____

12 Monthly Payment: \$ _____

13 7. Do you have a bank account? Yes ____ No ☒ (Do not include account numbers.)

14 Name(s) and address(es) of bank: _____
 15 _____

16 Present balance(s): \$ _____

17 Do you own any cash? Yes ____ No ☒ Amount: \$ _____

18 Do you have any other assets? (If "yes," provide a description of each asset and its estimated
 19 market value.) Yes ____ No ☒
 20 _____

21 8. What are your monthly expenses?

22 Rent: \$ _____ Utilities: _____

23 Food: \$ _____ Clothing: _____

24 Charge Accounts:

25 <u>Name of Account</u>	<u>Monthly Payment</u>	<u>Total Owed on This Acct.</u>
26 _____	\$ _____	\$ _____
27 _____	\$ _____	\$ _____
28 _____	\$ _____	\$ _____

1 If the answer is "no," state the date of last employment and the amount of the gross and net
 2 salary and wages per month which you received. (If you are imprisoned, specify the last
 3 place of employment prior to imprisonment.)

4 SACRAMENTO AIR PORT 300 WEEKLY
 5 1200 MONTHLY
 6

7 2. Have you received, within the past twelve (12) months, any money from any of the
 8 following sources:

- 9 a. Business, Profession or Yes ___ No ☒
 10 self employment
 11 b. Income from stocks, bonds, Yes ___ No ☒
 12 or royalties?
 13 c. Rent payments? Yes ___ No ☒
 14 d. Pensions, annuities, or Yes ___ No ☒
 15 life insurance payments?
 16 e. Federal or State welfare payments, Yes ___ No ☒
 17 Social Security or other govern-
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount
 20 received from each.

21 _____
 22 _____

23 3. Are you married? Yes ___ No ☒

24 Spouse's Full Name: _____

25 Spouse's Place of Employment: _____

26 Spouse's Monthly Salary, Wages or Income: _____

27 Gross \$ _____ Net \$ _____

28 4. a. List amount you contribute to your spouse's support: \$ _____

1 9. Do you have any other debts? (List current obligations, indicating amounts and to
2 whom they are payable. Do not include account numbers.)
3 _____
4 _____

5 10. Does the complaint which you are seeking to file raise claims that have been presented
6 in other lawsuits? Yes ___ No ✓
7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in
8 which they were filed.
9 _____
10 _____

11 I consent to prison officials withdrawing from my trust account and paying to the court
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and
14 understand that a false statement herein may result in the dismissal of my claims.

15
16 12/20/07

17 DATE

Willie Weaver

SIGNATURE OF APPLICANT

18
19
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28

Case Number: _____

CERTIFICATION OF FUNDS
IN
PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of Willie Eugene Weaver J91389 for the last six months at Pelican Bay State Prison where he is confined.

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$13.13 and the average balance in the prisoner's account each month for the most recent 6-month period was \$17.55. (20%= \$3.51)

Dated: 12/20/07

Z Clark
Authorized officer of the institution



THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE.
ATTEST: 12-20-07
CALIFORNIA DEPARTMENT OF CORRECTIONS
BY S. Kleppin
TRUST OFFICE

CALIFORNIA DEPARTMENT OF CORRECTIONS
PELICAN BAY STATE PRISON
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JUN. 01, 2007 THRU DEC. 19, 2007

ACCOUNT NUMBER : J91389
ACCOUNT NAME : WEAVER, WILLIE EUGENE
PRIVILEGE GROUP: D

BED/CELL NUMBER: BF02U 0000002105
ACCOUNT TYPE: I

TRUST ACCOUNT ACTIVITY

DATE	TRAN CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
06/01/2007		BEGINNING BALANCE					10.62
07/05	D320	TRUST FUNDS T	0078 CCI		5.32		15.94
07/11	*DD30	CASH DEPOSIT	0197 #006		67.50		83.44
07/19	W215	FEDERAL FILIN	0351 03/02			2.57	80.87
07/19	W212	FEDERAL FILIN	0351 03/02			2.57	78.30
07/19	W212	FEDERAL FILIN	0351 03/02			2.57	75.73
07/19	W212	FEDERAL FILIN	0351 03/02			2.57	73.16
07/19	W214	FEDERAL FILIN	0351 03/02			2.57	70.59
07/19	W214	FEDERAL FILIN	0351 03/02			2.57	68.02
07/19	W211	FEDERAL FILIN	0351 03/02			2.57	65.45
07/19	W215	FEDERAL FILIN	0351 07/11			9.35	56.10
07/19	W212	FEDERAL FILIN	0351 07/11			9.35	46.75
07/19	W212	FEDERAL FILIN	0351 07/11			9.35	37.40
07/19	W212	FEDERAL FILIN	0351 07/11			9.35	28.05
07/19	W214	FEDERAL FILIN	0351 07/11			9.35	18.70
07/19	W214	FEDERAL FILIN	0351 07/11			9.35	9.35
07/19	W211	FEDERAL FILIN	0351 07/11			9.35	0.00
11/27	*DD30	CASH DEPOSIT	2318 ML101		11.25		11.25
11/27	W211	FEDERAL FILIN	2333 11/27			1.40	9.85
11/27	W214	FEDERAL FILIN	2333 11/27			1.40	8.45
11/27	W215	FEDERAL FILIN	2333 11/27			1.40	7.05
11/27	W212	FEDERAL FILIN	2333 11/27			1.40	5.65
11/27	W212	FEDERAL FILIN	2333 11/27			1.40	4.25
11/27	W212	FEDERAL FILIN	2333 11/27			1.40	2.85
11/27	W214	FEDERAL FILIN	2333 11/27			1.40	1.45
11/27	W211	FEDERAL FILIN	2333 11/27			1.40	0.05

CURRENT HOLDS IN EFFECT

DATE PLACED	HOLD CODE	DESCRIPTION	COMMENT	HOLD AMOUNT
07/31/2007	H103	DAMAGES-REFUSED TO SIGN HOLD	0506 CCI	2.87
07/31/2007	H103	DAMAGES-REFUSED TO SIGN HOLD	0506 CCI	2.45



THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
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ATTEST: 12-20-07
CALIFORNIA DEPARTMENT OF CORRECTIONS
BY J. Kleppin
TRUST OFFICE

PELICAN BAY STATE PRISON
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: JUN. 01, 2007 THRU DEC. 19, 2007

ACCT: J91389 ACCT NAME: WEAVER, WILLIE EUGENE ACCT TYPE: I

* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 01/19/96
COUNTY CODE: SAC

CASE NUMBER: 94F09335
FINE AMOUNT: \$ 5,600.00

DATE	TRANS.	DESCRIPTION	TRANS. AMT.	BALANCE
06/01/2007		BEGINNING BALANCE		5,393.82
07/11/07	DR30	REST DED-CASH DEPOSIT	75.00-	5,318.82
11/27/07	DR30	REST DED-CASH DEPOSIT	12.50-	5,306.32

* THIS STATEMENT DOES NOT REFLECT THE ADMINISTRATIVE FEE CHARGE THAT *
* IS EQUAL TO TEN PERCENT OF THE RESTITUTION AMOUNT COLLECTED. *

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
10.62	84.07	94.64	0.05	5.32	0.00



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CURRENT
AVAILABLE
BALANCE

5.27-